

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Global Interactive Media, Inc.,

Plaintiff,

v.

Hubbard Broadcasting, Inc.,

Defendant.

Case No.

Judge:

Magistrate Judge:

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Global Interactive Media, Inc. (“GIM”) brings this patent-infringement action against Hubbard Broadcasting, Inc. (“Hubbard”).

**Parties**

1. GIM is a Belizian company based in Belize.
2. Hubbard is a company organized under the laws of Minnesota, with its principal place of business located in St. Paul, Minnesota.

**Jurisdiction and Venue**

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Hubbard. Hubbard conducts continuous and systematic business in Illinois and this District. This patent-infringement case arises directly from Hubbard’s continuous and systematic activity in this District. In short, this Court’s exercise of jurisdiction over Hubbard would be

consistent with the Illinois long-arm statute, 735 ILCS § 5/2-209, and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(2) and 1400(b).

**Count 1 – Infringement of U.S. Patent No. 8,032,907**

7. GIM owns United States Patent 8,032,907 (the “‘907 patent”) (attached as Exhibit A).

8. Hubbard is infringing at least one of the 90 methods and systems claimed in the ‘907 patent.

9. For example, and for illustration of one of the 90 claims of the ‘907 patent that GIM alleges that Hubbard infringes, Hubbard infringes claim 18 of the ‘907 patent as follows:

- a. Claim 18 is a method of “broadcasting program material in at least one broadcast . . . .” (Ex. A, 19:16.) The radio station WDRV – FM 97.1 in Chicago broadcasts classic rock and roll music.
- b. Claim 18 is a method of “receiving one or more user inquiries from one or more recipients of said at least one broadcast, said one or more inquiries including broadcast identifier information . . . .” (Ex. A, 19:17-19.) A consumer of music broadcast over FM 97.1 in Chicago may access the website [www.wdrv.com](http://www.wdrv.com) and inquire regarding the classic rock and roll music being broadcast over FM 97.1 in Chicago.
- c. The method of claim 18 involves “creating a program description file comprising program information related to program material to be

broadcast in the future . . . .” (Ex. A, 19:20-22.) Hubbard allows consumers to inquire regarding the classic rock and roll music being broadcast by, prior to the broadcast, creating files describing the music to be broadcast,

- d. Next, claim 18 involves “communicating the program information into a programmed data processor . . . .” (Ex. A, 19:23-24.) The Hubbard consumer is able to learn that *Peace of Mind* by the band Boston is currently being broadcast because Hubbard has a programmed data processor into which the program description file is loaded.
- e. Claim 18 involves “synchronizing said communicated program information with said program material of said at least one broadcast. . . .” (Ex. A, 19:25-26.) Hubbard synchronizes the description of *Peace of Mind* with the broadcast of the song.
- f. Claim 18 involves “using said data programmed data processor to communicate, to the one or more recipients, program information that corresponds to the broadcast identifier information included in said one or more inquiries, wherein at least one of the program description file, the program information, and the synchronized program information is associated with the broadcast identifier information.” (Ex. A, 19:28-35.) Hubbard communicates the *Peace of Mind* program information to the Hubbard consumer.

**Count 2 – Infringement of U.S. Patent No. 6,314,577**

10. GIM owns United States Patent 6,314,577 (the “‘577 patent”) (attached as Exhibit B).

11. Hubbard is infringing at least one of the 130 methods and systems claimed in the ‘577 patent.

12. For example, and for illustration of one of the 130 claims of the ‘577 patent that GIM alleges that Hubbard infringes, Hubbard infringes claim 94 of the ‘577 patent as follows:

- a. Claim 94 is a “method for providing listeners or viewers of a radio or television broadcast with automated information about program material, comprising the steps of: broadcasting at least one radio or television broadcast . . . .” (Ex. B, 23:14-18.) The radio station WDRV – FM 97.1 in Chicago broadcasts classic rock and roll music.
- b. Claim 94 involves “receiving user inquiries from a listener or viewer of said radio or television broadcast . . . .” (Ex. B, 19-20.) A consumer of music broadcast over FM 97.1 in Chicago may access the website [www.wdrv.com](http://www.wdrv.com) and inquire regarding the classic rock and roll music being broadcast over FM 97.1 in Chicago.
- c. Claim 94 involves “creating a program description file . . . .” (Ex. B, 23:21.) Hubbard allows consumers to inquire regarding the classic rock and roll music being broadcast by, prior to the broadcast, creating files describing the music to be broadcast.

- d. The method of claim 94 involves “communicating program list information into a programmed data processor . . . .” (Ex. B, 23:23-24.) The Hubbard consumer is able to learn that *Peace of Mind* by the band Boston is currently being broadcast because Hubbard has a programmed data processor into which the program description file is loaded.
- e. Claim 94 involves “correlating said program descriptions of program material with said program list information and generating information in a database responsive to only a broadcast identifier . . . .” (Ex. B, 23:24-27.) Hubbard correlates the communicated *Peace of Mind* program information with the broadcast of *Peace of Mind*.
- f. Claim 94 involves “using said programmed data processor to communicate said program description file responsive to said user inquiry.” Hubbard communicates the *Peace of Mind* program information to the consumer.

### **Prayer for Relief**

WHEREFORE, GIM prays for the following relief against Hubbard:

- (a) Judgment that Hubbard has directly infringed claims of the ‘907 patent and the ‘577 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (d) For such other and further relief as the Court may deem just and proper.

**Demand for Jury Trial**

GIM demands a trial by jury on all matters and issues triable by jury.

Date: October 28, 2015

Respectfully Submitted,

/s/ Matthew M. Wawrzyn

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